

**MINUTES**  
**ALABAMA REAL ESTATE APPRAISERS BOARD**  
**RSA UNION BUILDING**  
**100 NORTH UNION STREET**  
**SUITE 370**  
**MONTGOMERY, ALABAMA**  
**May 21, 2004**

**MEMBERS PRESENT:**

Mr. Mandell Tillman  
Mr. Clifford Odom  
Mr. James Davis  
Mr. Jon B. Blissitte  
Mr. Otis Stewart, Jr.  
Mr. Leston Stallworth

**MEMBERS ABSENT:**

Mr. Steve Martin  
Mr. Wilder H. Cheney  
Mrs. Myra Pruitt

**OTHERS PRESENT:**

Mr. J.W. Holland, Jr.  
Mrs. Lisa Brooks  
Ms. Neva Conway

**GUESTS PRESENT:**

Ms. Cathy Morris

- 1.0 With quorum present Mr. Tillman, Chairman called the meeting to order at 8:07 a.m. The meeting was held at the RSA Union Building, 100 N. Union Street, 2<sup>nd</sup>. Floor Conference Room, Montgomery, Alabama.
- 1.1 The meeting was opened with prayer by Mr. Blissitte and then the Pledge of Allegiance.
- 2.0 Members present were Mr. Mandell Tillman, Mr. James Davis, Mr. Clifford Odom, Mr. Jon B. Blissitte, Mr. Otis Stewart, Jr. and Mr. Leston Stallworth. Members absent were Mrs. Myra Pruitt, Mr. Wilder H. Cheney and Mr. Steve Martin.
- 3.0 On motion by Mr. Stallworth and second by Mr. Stewart the regular minutes for March 19, 2004 were approved as written. Motion carried by unanimous vote.
- 3.1 Mr. Tillman discussed with the Board the policy that was adopted by the Board in January 2002 regarding exceptions to our licensing law and allowance of experience credit. The Federal Land Bank has asked if their exempt employees can claim experience credit if they do not hold a Trainee license issued by the Board. After discussion, the Board agreed

that our law and rules allow the exempt employee to claim the experience credit but they must present proof that the appraisal work claimed as experience complies with USPAP.

3.2

Ms. Conway asked the Board to consider a request from Mr. Richard Moorefield for an extension to take a 15-hour USPAP course ASAP on-line. Mr. Moorefield states he signed up for a 15 hour USPAP with Lee & Grant and the sponsor changed the course from 15 hour to 7 hour. On motion by Mr. Davis and second by Mr. Stallworth the Board voted to have Ms. Conway check with Lee & Grant to verify Mr. Moorefield's story and if it did not check out to suspend his license until he takes and passes the 15-hour USPAP course. This to be effective the date he receives his letter. With Mr. Stewart abstaining the motion carried.

Ms. Conway informed the Board that Ms. Cathy Morris was present to speak on her behalf regarding education to fulfill her disciplinary requirements.

Ms. Morris stated to the Board that she was required to take a 39-hour Sales Comparison Course and successfully complete the exam. She took the Appraisal Institute Course 530 and did not successfully complete the exam. She asked the Board to accept this course and other continuing education courses to fulfill her education requirements. On motion by Mr. Blissitte and second by Mr. Odom the Board voted to accept the Appraisal Institute Course 210 or equivalent Board approved course with successful completion of the exam. This course must be taken and exam passed within a four-month period or her license will be suspended. Motion carried by unanimous vote.

4.0

Ms. Conway informed the Board that since the passage of our agency Senate Bill it would become effective on August 1, 2004. Mr. Holland thanked all the Board members for their hard work and support in getting this Bill passed. He stated that the Board would be sending thank you notes to all that helped our agency succeed in this endeavor.

Ms. Conway asked the Board to review the proposed changes to Administrative Rule 780-X-1-.14 Records; 780-X-12-.02 Continuing Education; 780-X-13-.02 ANSI Z765 Standard; 780-X-14-.02 Informal Disciplinary Procedure; 780-X-14-.03 Probable Cause; 780-X-14-.04 Summons and Complaint; and 780-X-14-.06 Disciplinary Hearings. On motion by Mr. Odom and second by Mr. Davis the Board voted to adopt these proposed changes. Motion carried by unanimous vote.

On motion by Mr. Davis and second by Mr. Odom the Board voted that when a person who has filed a complaint against an appraiser contacts the Board and requests to withdraw the complaint, if the investigation has not been completed the person may withdraw the complaint in writing and if request for work product has already been sent to the licensee, the licensee will be notified that the complaint has been withdrawn and the file will be closed. If the request for work product has not gone out to the licensee, no notification is necessary and the file will be closed. Motion

carried by unanimous vote.

- 5.0 On motion by Mr. Davis and second by Mr. Stewart the following applications were voted on as listed. Motion carried by unanimous vote.
- 5.1 **Trainee Real Property Appraiser applications approved:** Frankie R. Beard, Tim M. Britt, Walter Broadfoot, Melissa K. Brogden, Wendy Carlile, John M. Carter, James M. Clifton, Lori P. Cooper, Charles G. Curry, Marcus H. Estes, Kimberly A. Guy, John D. Hartman, Gary G. Hill, Charles R. Jones, III, Randall A. Loyd, James M. McKenzie, Jerrell A. Mitchell, Spencer L. Moore, Michael L. Nelson, Patrick A. Nelson, William C. Porter, William N. Sims, David T. Stephens, Melanie J. Walker, Bradley K. White, Adria L. Williams, Amanda R. Williams, Dan E. Williamson. **Application denied:** Jason C. Cory.
- 5.2 **State Registered Real Property Appraiser applications approved:** William D. Newell, James W. Smith. **Application deferred:** Thomas J. Hoffman.
- 5.3 **Licensed Real Property Appraiser applications approved:** Heath Emerson, George A. Green (Recip.)(GA), Jason H. Hill, Kreg S. LeMaster. **Applications deferred:** David Ogden.
- 5.4 **Certified Residential Real Property Appraiser applications approved:** Chet D. Acker, Jennifer Aldridge, Courtney M. Byrd, Thomas S. Carnes, Frederick C. Crochen, Kathy J. Dethrage, Steven E. Donald, Julie G. Griffin, James M. Groom, Vincent J. Howell, John H. Jolley, Gregory L. Ligon, Christopher D. Looney, Richard A. Phillips, Denzil L. Sands, II, Andreas J. Smith, Bert A. Spearman (Recip.)(TN), Lonnie O. Starnes.
- 5.5 **Certified General Real Property Appraiser applications approved:** David M. Ambrose (Recip.)(TX), David A. Arvesen (Recip.)(TX), Quentine O. Ball (Recip.)(GA), William E. Barron (Recip.)(GA), Rhonda S. Black (Recip.)(GA), Scott B. Maddox, Jennifer P. McDade (Recip.)(KY), Ann C. Porter (Recip.)(MO), Laura L. Stephens, Mark A. Thibodeau (Recip.)(GA), Joel T. Watts (Recip.)(GA).
- 6.0 Mr. Holland gave the financial report informing the Board that we were 58% into FY 04 and 50% into budget expenditures. Mr. Holland informed the Board there were no negative trends, which could not be reconciled at this time and that expenditures were down \$53,148. Mr. Holland stated he didn't see any problems funding Board compensation. Mr. Holland also informed the Board that the 606 Fund was \$37,381 less than this time last year. On motion by Mr. Stallworth and second by Mr. Odom the Board voted to accept the financial report as read. Motion carried by unanimous vote.

On motion by Mr. Blissitte and second by Mr. Stewart the Board voted that as of August 1, 2004 Board members would be compensated \$300 in months where Board meetings were attended.

Mr. Tillman asked for volunteers from the Board members that were present to be on a Website/Newsletter Committee.

6.1

On motion by Mr. Stallworth and second by Mr. Blissitte the following education courses and instructor recommendations were approved, deferred or denied as indicated:

**ALABAMA POWER COMPANY**

- (CE) 4<sup>th</sup>. Annual Appraisers Conference  
(Instructor: Jerry D. Roberson)  
**Both Course and Instructor Approved**

**APPRAISAL INSTITUTE – ALABAMA**

- (CE) Convincing Residential Appraisals – 4 Hours  
(Instructors: David A. Braun)  
**Both Course and Instructor Approved**

**Initial Application:**

- (CE) “The Road Less Traveled: Special Purpose Properties” – 7 Hours  
(Instructor: John R. Underwood, Jr.)  
**Both Course and Instructor Approved**

**APPRAISAL INSTITUTE - CHICAGO**

**Initial Application:**

- (LIC) Basic Appraisal Principles – 30 Hours  
(Instructor: Craig Harrington)  
**Both Course and Instructor Approved**
- (LIC) Residential Highest and Best Use and Market Analysis – 15 Hours  
(Instructor: Margaret Hambleton)  
**Both Course and Instructor Approved**
- (LIC) On-line Course 410: 15-Hour USPAP Equivalent Course – 15 Hours  
(Instructor: Thomas R. Kirby)  
**Both Course and Instructor Approved**
- (CE) R.E. Finance, Value and Investment Performance – 7 Hours  
(Instructor: Kenneth Lusht)  
**Both Course and Instructor Approved**
- (CE) R.E. Finance, Statistics and Valuation Modeling – 15 Hours  
(Instructor: Kenneth Lusht)  
**Both Course and Instructor Approved**

## **DYNASTY SCHOOL**

### **Initial Application:**

(LIC) USPAP – Distance Course – 15 Hours  
(Instructor: Lee R. Hess)

**Course Denied**

**Instructor Approved**

## **NEGARA REAL ESTATE APPRAISAL SCHOOL**

### **Initial Application:**

(LIC) 90-Hour Qualification Course – 90 Hours  
(Instructor: Lee A. Lawson)

**Both Course and Instructor Approved**

(LIC) USPAP – 15 Hours  
(Instructor: Lee A. Lawson)

**Both Course and Instructor Approved**

(LIC) Fannie Mae Guidelines – 15 Hours  
(Instructor: Lee A. Lawson)

**Both Course and Instructor Approved**

(CE) USPAP – 14 Hours  
(Instructor: Lee A. Lawson)

**Both Course and Instructor Approved**

(CE) Fannie Mae Guidelines – 14 Hours  
(Instructor: Lee A. Lawson)

**Both Course and Instructor Approved**

**Motion carried by unanimous vote.**

6.2

The Board reviewed the following disciplinary reports:

**AB-03-20:** On November 20, 2003, a Letter of Warning was issued to a Certified Residential Real Property Appraiser in connection with the appraisal of a residential property in which she signed as the primary appraiser. The USPAP violations are identified as follows: The subject property had a run down abandoned house next door and a very poor quality house across the street. These conditions were not present with the comparables. No adjustments were made for view or location and no explanation was made why adjustments were not necessary. The following standards and statutes were violated: 1-1(b); 1-1(c); 1-4(a); 2-1(a); 2-1(b); USPAP, 2002 Ed.

**AB-04-09:** On April 30, 2004, a Letter of Warning was issued to a Certified General Real Property Appraiser in connection with the appraisal of a residential property in which she signed as the primary

appraiser. The USPAP violations are identified as follows: Licensee made errors that, individually did not significantly affect the results of the appraisal but in the aggregate, affected the credibility of the report. Specifically, these errors were using incorrect GLA in developing the value opinion and omitting a shop building as a part of the improvements. The following standards and statutes were violated: 1-1(c); 2-2(b)(ix); USPAP, 2003 Ed.

Mr. Holland discussed with the Board the investigative status charts and noted we have 69 open complaint cases on hand.

#### 6.2.1

The Board reviewed Probable Cause Summary and Recommended Disposition on **AB-03-98**: On motion by Mr. Davis and second by Mr. Stallworth the Board voted that probable cause did exist. Motion carried by unanimous vote. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to follow investigators recommendation and issue Letter of Counsel. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary and Recommended Disposition on **AB-04-01**: On motion by Mr. Davis and second by Mr. Stallworth the Board voted that probable cause did exist. Motion carried by unanimous vote. On motion by Mr. Davis and second by Mr. Odom the Board voted to follow investigators recommendation and issue Letter of Counsel. Motion carried by unanimous vote.

Board reviewed Probable Cause Summary on **AB-04-02**. On motion by Mr. Davis and second by Mr. Blissitte the Board voted that probable cause did exist and to follow investigators recommendation to proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary and Recommended Disposition on **AB-04-07**. On motion by Mr. Odom and second by Mr. Stallworth the Board voted that probable cause did exist. Motion carried by unanimous vote. On motion by Mr. Odom and second by Mr. Davis the Board voted to follow investigators recommendation and issue a Letter of Warning. Motion carried by unanimous vote.

The Board reviewed Recommendation for Action on **AB-04-16, Companion Case AB-04-15**. On motion by Mr. Davis and second by Mr. Odom the Board voted to issue a Letter of Counsel. Motion carried by unanimous vote.

Board reviewed Recommendation for Action on **AB-04-15, Companion Case AB-04-16**. On motion by Mr. Davis and second by Mr. Odom the Board voted to issue a Letter of Counsel. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary on **AB-04-20 and AB-04-21**. On motion by Mr. Davis to dismiss. With no second this motion failed. On motion by Mr. Stallworth and second by Mr. Odom the Board voted that probable cause did exist and to follow investigators recommendation and proceed with formal investigation Motion carried by unanimous vote.

The Board reviewed Board Initiated Complaint Request and Probable Cause Summary on **AB-04-30**. On motion by Mr. Odom and second by Mr. Stallworth the Board voted that probable cause did exist to open a Board Initiated Complaint and to proceed with formal investigation. Motion carried by unanimous vote.

The Board reviewed Probable Cause Summary and Recommended Disposition on **AB-04-32**. On motion by Mr. Davis and second by Mr. Stallworth the Board voted that probable cause did exist. Motion carried by unanimous vote. On motion by Mr. Odom and second by Mr. Blissitte the Board voted to follow investigators recommendation and issue a Letter of Warning. Motion carried by unanimous vote.

The Board reviewed Investigative Information on **AB-03-97**. On motion by Mr. Odom and second by Mr. Davis the Board voted to dismiss. Motion carried by unanimous vote.

The Board reviewed memorandum for record on **AB-02-21**. On motion by Mr. Blissitte and second by Mr. Davis the Board voted to dismiss. Motion carried by unanimous vote.

6.2.2 The Board reviewed Anonymous Complaint on **AB-04-31**. On motion by Mr. Odom and second by Mr. Davis the Board voted to open a Board Initiated Complaint and proceed with investigation. Motion carried by unanimous vote.

6.2.3 The Board reviewed Consent Settlement Order on **AB-03-43**. On motion by Mr. Blissitte and second by Mr. Stallworth the Board voted to approve as written. Motion carried by unanimous vote.

6.3 No reciprocal agreements to report since last meeting. Ms. Conway stated to the Board that at the AARO meeting on April 24-26, 2004 it was mentioned that Florida is working on some type of reciprocal agreements with other states. The Board asked Ms. Conway to work on initiating some type of agreement with Florida.

6.4 The following reciprocal licenses were issued since last Board meeting: David M. Ambrose (G)(TX), David A. Arvesen (G)(TX), Quentine O. Ball (G)(GA), William E. Barron (G)(GA), Rhonda S. Black (G)(GA), Jennifer P. McDade (G)(KY), Ann C. Porter (G)(MO), Bert A. Spearman (R)(TN), Mark A. Thibodeau (G)(GA), Joel T. Watts (G)(GA).

7.0 The temporary permit report was provided to the Board for their information.

8.0 Mr. Holland informed the Board the trial presentation of the Trainee Orientation PowerPoint training went well. Mr. Holland told the Board he thought the Orientation was ready for the 1<sup>st</sup>. presentation and recommended July 15, 2004 which would be in conjunction with the July 16, 2004 Board meeting in Montgomery. He suggested this orientation start at 1:00 p.m. – 4:30 p.m. The Board agreed.

Ms. Conway shared with the Board information from her recent AARO trip. She informed the Board there were 80 participants at this meeting. She also informed the Board she was asked to serve on an AQB Guideline taskforce.

Mr. Holland asked the Board to review a letter from Mr. Paul King, Vice President, PES informing the states that they will be revising and improving the mechanisms for delivery of the Real Estate Appraiser examinations. Mr. Holland asked the Board to also note PES is asking each state to nominate two individuals that would serve as content experts. Mr. Holland asked the Board to consider sending two individuals for Alabama. Mr. Tillman asked Mr. Holland and Ms. Conway to send e-mails to Board members with information as to when and where.

Mr. Holland informed the Board there was new correspondence from Ms. Judith Haney in the books for their review.

Mr. Holland informed the Board he intended to have another newsletter ready to mail out by the end of June that would include the new AQB requirements.

The Board asked Mr. Holland and Ms. Conway to explore the possibility of purchasing reproduction rights for ANSI-Z765 to disseminate to our licensees.

Mr. Holland discussed with the Board the possible capability of licensees renewing their licenses on-line for the upcoming renewal period. The Board suggested we wait until 2005 to offer this capability to the licensees since we are trying to start the orientation program.

Mr. Holland included a copy of a letter from State Auditor, Beth Chapman congratulating our agency and property manager, Lisa Brooks, for a perfect property audit.

#### **Trainee/General Interview**

11:00 a.m. – **Scott B. Maddox**

On motion by Mr. Tillman and second by Mr. Stewart the Board voted to approve Mr. Maddox to sit for the Certified General Real Property Appraiser exam. Motion carried by unanimous vote.

11:30 a.m. – **Laura L. Stephens**

On motion by Mr. Tillman and second by Mr. Stewart the Board voted to approve Ms. Stephens to sit for the Certified General Real Property Appraiser exam. Motion carried by unanimous vote.

The next Board meeting will be July 16, 2004.

9.0 Meeting adjourned at 11:50 a.m.

Sincerely,



Lisa Brooks  
Executive Secretary

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**APPROVED:** \_\_\_\_\_  
**Mandell Tillman, Chairman**